MAINE STATE LEGISLATURE

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ONE HUI	NDRED AND E	ELEVENTH	LEGISLATURE
Legislative Docume	ent		No. 47
H.P. 391	ŀ	House of Rep	oresentatives, February 1, 198
			uary 1, 1983. Referred to the and ordered printed pursuant to
			EDWIN H. PERT, Cler
Presented by Represe	ntative Rolde o	of York.	
	STATE	OF MAINE	2
NINE	IN THE YEA		R LORD GHTY-THREE
AN ACT	AN ACT Relating to Transportation of Hazardous Waste.		
Be it enacted l follows:	oy the Peor	ple of th	ne State of Maine as
Sec. 1. 38 by PL 1979, c.			ub-§2, ¶B, as enacted ded to read:
material the terms license, p board or o	in any man of any com- permit, and rder of the dling or to	nner which ndition, pproval e commiss	y such substance of th, in fact, violates order, regulation or decision of the sioner with respect ing of such substance
			ub-§2, ¶C, as amended

C. Gives custody or possession of any such substance or material to any other person whom he knows or has reason to believe:

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- (1) Does not have a license or permit to transport or handle such substance or material as may be required under this subchapter; or
- (2) Will transport or handle such substance or material in violation of this subchapter or rules adopted under it; or
- 11 Sec. 3. 38 MRSA §1306-A, sub-§2, ¶D is enacted 12 to read:
- D. Transports hazardous waste without having complied with the provisions of section 1310-C.
- 15 Sec. 4. 38 MRSA §1310-C is enacted to read:
- 16 §1310-C. Transportation; notification; training
- 17 1. Notification requirements. No person transport hazardous wastes on the public ways of this 18 State unless, at least 30 days prior to transporta-19 tion of that hazardous waste, that person notifies the law enforcement personnel of each municipality on 20 21 the proposed route of travel, the county sheriff in 22 23 each county through which the hazardous wastes will be transported and the State Police. If the notice 24 period required by this subsection cannot be met due 25 26 to exigent circumstances, a lesser period of notice 27 may be sufficient, provided the other requirements of The 28 this subsection have been met. notice required 29 under this subsection shall contain the following 30 provisions:
- A. The date and approximate hour the hazardous waste will be transported through each town;
- B. The route to be followed through each town;
- 34 <u>C. The nature of the hazardous materials being</u> 35 <u>transported; and</u>
- 36 <u>D. Instructions for dealing with the materials in</u> 37 <u>case of accident.</u>

- 1 2. Training. The department shall, in conjunction with those businesses transporting hazardous wastes 2 in this State, hold at least 2 seminars annually for 3 the purpose of preparing and training firemen and law 4 5 enforcement personnel to handle accidents involving hazardous wastes. Funds for the conduction of these 6 7 seminars shall be provided from the Maine Hazardous 8 Waste Fund.
- 9 Sec. 5. 38 MRSA §1319-E, sub-§1, ¶¶C and D, as 10 enacted by PL 1981, c. 478, §7, are amended to read:
- 11 C. Costs incurred for the purchase of necessary 12 hazardous waste response equipment and supplies, 13 response personnel and training of response per-14 sonnel in accordance with an allocation approved 15 by the Legislature; and
- D. Amounts necessary to reimburse municipalities as required by section 1305-A, subsection 3-; and
- 18 Sec. 6. 38 MRSA §1319-E, sub-§1, ¶E is enacted to read:
- 20 E. Costs incurred in the conduction of training
 21 seminars for the handling of hazardous wastes
 22 during transportation accidents, pursuant to
 23 section 1310-C, subsection 2.

24 STATEMENT OF FACT

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The purpose of this bill is to establish notification and training requirements for transportation of hazardous wastes. The bill requires transporters to notify municipal and county law enforcement personnel and the State Police of their intention to transport waste through the State at least 30 days in advance of actual transportation. Additionally, the notice must identify the routes to be followed, the materials being hauled and instructions for dealing with transportation accidents involving this material.

The bill requires the Department of Environmental Protection, in conjunction with transporters of hazardous waste, to hold at least semiannual training

sessions for firemen and law enforcement personnel on how to handle accidents involving hazardous waste. The cost of conducting these seminars shall be provided by the Maine Hazardous Waste Fund.

The bill provides that any person failing to provide the notification required is guilty of a Class D crime.

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